

No. 11(112)-80-3Lab./9505.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workers and the management of M/s Sarda Oil Udyog, By Pass, Hodel.

IN THE COURT OF SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT,
HARYANA, FARIDABAD

Reference No. 121 of 1980

between

SHRI OM PARKASH, WORKMAN AND THE MANAGEMENT OF M/S SARDA OIL UDYOG,
BY PASS, HODEL

Present :—

None for the Workman.

None for the Management.

AWARD

This reference No. 121 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD/15-80/9975, dated 25th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Om Parkash, workman and the management of M/s Sarda Oil Udyog, By Pass, Hodel. The term of the reference was :—

“Whether the termination of services of Shri Om Parkash was justified and in order ? If not, to what relief is he entitled ? ”

After receiving this reference notices were issued to both the parties to appear on 27th May, 1980 at Hodel in Municipal Office. The notice to the respondent management was sent through Regd. A.D. cover for the above date but the same was returned to this office with the remarks of the postal authorities ‘refused’. Then on 27th May, 1980 when I visited Hodel, I ordered the Peon of my court to serve the notice on the management personally. The peon of this court reported that when he went to give the notices, the factory was found closed and it was told to him by the adjoining Dall factory that there was no factory under the name and style as M/s Sarda Oil Udyog, By Pass, Hodel. The name of the factory was told to be M/s Sarda Udyog, By Pass, Hodel, which had since been closed. This building was taken on rent by M/s Sarda Ydyog By Pass, Hodel and there was nothing of M/s Sarda Udyog, By Pass, Hodel now. It was also told that the whereabouts of the respondent were not known.

On the other hand none appeared from the side of the workman also. In these circumstances, I was left with no choice except to proceed with the case in absence of both the parties. I waited upto 1.30 P.M. So I feel that the workman is not interested in pursuing this reference, although this reference has been sent by the Government, to this court for adjudication. It seems that the workman is not appearing in this reference because he has come to know about his mistake of raising the demand against a respondent whose name he has not correctly mentioned. Therefore, I feel that there is no dispute left between this workman and the respondent whose name and style is M/s Sarda Oil Udyog, By Pass, Hodel. Therefore, I give my award accordingly. No order as to costs. This may be read in answer of this reference.

Dated the 1st August, 1980

I. P. CHAUDHRY,

Presiding Officer,

Labour Court, Haryana, Faridabad.

Endst. No. 1288, dated the 4th August, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947 with the request that the receipt of the above said award may please be acknowledged within week's time.

I. P. CHAUDHRY,

Presiding Officer,

Labour Court, Haryana, Faridabad.